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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

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5 RAYMOND SULLIVAN, *et al.*,

6 Plaintiffs,

7 vs.

8 RIVIERA OPERATING CORPORATION d/b/a  
9 RIVIERA HOTEL AND CASINO,

10 Defendant.

2:14-cv-00165-APG-VCF

**ORDER**

11 Before the court is Plaintiffs' Emergency Motion for Mailing of Spanish Translation of Notice  
12 and Consent to Join. (#62).

13 Plaintiffs seek the court to order the Spanish translation of the Notice and Consent to be mailed  
14 to the 167 potential opt-in plaintiffs, which will allow those who are unable to understand the English  
15 version, the opportunity to be made aware of their legal rights and make an informed decision on  
16 whether to join the lawsuit. Defendant opposes plaintiffs' motion. (#64). Defendant argues that the  
17 mailing of the notice in Spanish would prejudice it. The potential opt-in plaintiffs hold jobs that require  
18 a certain level of English proficiency to understand work issued materials such as workplace manuals,  
19 work agreements, and newsletters. That level of English proficiency is sufficient to understand the  
20 Notice and Consent. *Id.*

21 On November 21, 2014, the court held a hearing and heard representations from the parties.

22 Accordingly,

23 IT IS HEREBY ORDERED that Plaintiffs' Emergency Motion for Mailing of Spanish  
24 Translation of Notice and Consent to Join (#62) is GRANTED in part and DENIED in part as discussed  
25 below.

1 The mailing of the Spanish translation of the Notice and Consent to the 167 potential opt-in  
2 plaintiffs will not be allowed. If a potential opt in plaintiff requests a Spanish translation of the Notice  
3 and Consent then the Spanish translation of the Notice and Consent, agreed to by Plaintiffs and  
4 Defendant's counsel, can be mailed to that particular individual.

5 IT IS FURTHER ORDERED that the original Notice and Consent (in English) together with the  
6 Spanish Translation of Notice and Consent, in one envelope, can be mailed to the ten (10) new potential  
7 opt in plaintiffs as requested by Plaintiffs' counsel during the hearing on November 21, 2014.

8 Dated this 21st day of November, 2014.

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10 CAM FERENBACH  
11 UNITED STATES MAGISTRATE JUDGE  
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